

JUL 11 2006

REMARKS

Claims 1, 6, 8-10 and 21-24 have been canceled. Claims 25-28 have been added.

The Examiner has rejected applicant's claims 1, 6, 8-10 and 21-24 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The Examiner has argued that limitations "selecting a method of transferring" and "control means for controlling to transfer the received data by using the method selected by said selection means" in claims 1, 6, 8-10 and 21-24 are not enabled by the specification.

Applicant has now deleted the aforementioned claims, thereby obviating the above rejection. Moreover, the newly added claims 25-28 do not contain the recitations that were objected to by the Examiner in the canceled claims. Thus, for example newly added claim 25 recites a first discrimination unit, a judgment unit, a storage unit and a transmission unit. These elements are clearly supported by the description in the specification describing steps S506-S511 and S1101 shown in FIG. 10. Applicant's newly added claims thus comply with the provisions of 35 USC § 112, first paragraph.

The Examiner has also rejected applicant's claims 1, 6, 9, 10, 21 and 23 under 35 USC § 102(e) as anticipated by the Cornuejols, et al. patent (U.S. Patent No. 7,020,774). Additionally, claims 8, 22 and 24 have been rejected under 35 USC § 103(a) as unpatentable based on the latter patent taken with the Perlman patent (U.S. Patent No. 6,363,480). Claims 1, 6, 8-10 and 21-24 have been deleted, thereby overcoming this rejection. Moreover, to the extent the rejection is believed applicable to newly added claims 25-28, it is respectfully traversed.

Specifically, applicant will be filing shortly certified translations of applicant's priority documents, Japanese Patent Application Nos. 11-325559, filed November 16, 1999, and 2000-

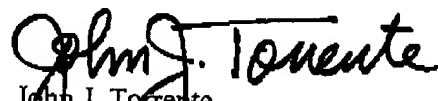
323980, filed October 24, 2000. Applicant shall rely on such dates for the effective filing date of the subject application, thereby antedating the effective date (December 29, 2000) of the Cornuejols, et al. patent as a reference under 35 USC § 102(e). This will thus remove the patent as a citable reference, and, as a result, overcome the Examiner's rejections.

In view of the above, it is submitted that applicant's claims, as amended, comply with the provisions of 35 USC §112, first paragraph. Also, it is further submitted that upon filing the certified translations of the priority documents, the Cornuejols, et al. patent will be removed as a citable reference, thereby overcoming the rejections based thereon. Accordingly, reconsideration of the claims is respectfully requested.

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